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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/716,971 | 11/18/2003 | Edward William Adams | 7725-0001.02 | 7564 |

23980 7590 12/06/2005

REED INTELLECTUAL PROPERTY LAW GROUP
1400 PAGE MILL ROAD
PALO ALTO, CA 94304-1124

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| EXAMINER |
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LE, HOA T

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| ART UNIT | PAPER NUMBER |
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1773

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Terminal Disclaimer

1. The terminal disclaimer filed on October 24, 2005 has been reviewed and found improper because the signed attorney is not of record. An attorney or agent, not of record, is not authorized to sign a terminal disclaimer in the capacity as an attorney or agent acting in a representative capacity as provided by 37 CFR 1.34 (a). See 37 CFR 1.321(b) and/or (c).

Accordingly, the terminal disclaimer has not been recorded.

2. Claims 1-45 and 96-140 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 42-44 of U.S. Patent No. 6,649,138 for reasons set forth in the last office action. The double patenting rejection has not been overcome because of the improper terminal disclaimer.

6. Claims 46-95 and 141-189 are allowed. The reasons for allowance has been stated in the last office action.

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action.

In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to H. T. Le whose telephone number is 571-272-1511. The examiner can normally be reached on 10:00 a.m. to 6:30 p.m., Mondays to Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney can be reached on 571-272-1284. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



H. T. Le
Primary Examiner
Art Unit 1773

Nov. 30, 2005